

Hon. Robert S. Lasnick

**UNITED STATES DISTRICT COURT
WESTERN DISTRICT OF WASHINGTON**

THE THOMPSONS FILM, LLC,

Plaintiff,

v.

DOES 1-194

Defendants.

NO. 2:13-CV-00560-RSL

NOTICE OF AVAILABILITY OF JOHN
DOE 45 TO PRESENT ARGUMENTS

On May 9, 2013, the Court issued its Order to Show Cause and Quashing Subpoenas (Dkt. No. 7), which, *inter alia*, quashed all outstanding subpoenas in this matter and ordered Plaintiff to show cause as to why the Court should not sever and dismiss all Doe Defendants except for the first listed Doe. Plaintiff filed its Response (Dkt. No. 18) and supporting Declaration (Dkt. No. 19) to the Court's Order on May 23, 2013.

1 The Court has not requested or set a schedule for any Defendant or other interested party
 2 to present arguments relevant to joinder. Moreover, neither the Court's Order nor Plaintiff's
 3 Response or supporting documents raise the issue of whether Plaintiff has demonstrated, or can
 4 demonstrate, "good cause" sufficient to justify early discovery in this matter. Accordingly, John
 5 Doe 45¹ respectfully gives notice that John Doe 45 reserves all applicable defenses and
 6 arguments, including improper joinder and lack of "good cause" for early discovery. Should the
 7 Court find it helpful, John Doe 45 would appreciate the opportunity to present such arguments
 8 prior to any order authorizing continued joinder of Does in this case or reauthorizing Plaintiff's
 9 taking of discovery related to the IP Addresses of John Doe 45 prior to a Rule 26(f) conference.
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 12 Dated this 30th day of May, 2013

13 /s/ Michael P. Matesky, II
 14 Michael P. Matesky, II (WSBA # 39586)
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 16 1001 4th Ave., Suite 3200
 17 Seattle, WA 98154
 18 Ph: 206.701.0331
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 21 litigation@mateskylaw.com

22 Attorney for Defendant John Doe 45

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1 Plaintiff does not identify any Defendants with specificity. For purposes of this Notice, "John Doe 45" refers to
 25 the named subscriber on the internet service account associated with IP Address 50.135.179.149.

CERTIFICATE OF SERVICE

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I hereby certify that I electronically filed the foregoing with the Clerk of Court using the CM/ECF system on the date stated below, which will cause the foregoing to be electronically served on all parties of record.

Dated this 30th day of May, 2013

/s/ Michael P. Matesky, II
Michael P. Matesky, II